

A G E N D A

REGULAR MEETING

OF THE **OVERSIGHT BOARD** TO THE
SUCCESSOR AGENCY FOR THE
SEAL BEACH REDEVELOPMENT AGENCY

Tuesday ~ July 1, 2014 ~ 5:00 p.m.

City Hall Conference Room
211 Eighth Street
Seal Beach, California

BOARD MEMBERS:

City of Seal Beach	Jill R. Ingram Alayna Hoang
OC Board of Supervisors	Michael P. Levitt Gordon A. Shanks
OC Department of Education	Patricia L. Meyer
CA Community College District	Suzie Payne
Special District	(To be determined)

Next Oversight Board Resolution: Number OB14-05

This Agenda contains a brief general description of each item to be considered. No action or discussion shall be taken on any item not appearing on the agenda, except as otherwise provided by law. Supporting documents, including agenda staff reports, and any public writings distributed to at least a majority of the Oversight Board regarding any item on this agenda, are available for review at the Seal Beach City Hall in the City Clerk's Office located at 211 Eighth Street, Seal Beach, California, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m. or contact the City Clerk, at ☎ (562) 431-2527.

In compliance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at ☎ (562) 431-2527 at least 48 hours prior to the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

BOARD ROLL CALL

ORAL COMMUNICATIONS

At this time members of the public may address the Oversight Board regarding any items on this agenda. Pursuant to the Brown Act, the Board cannot discuss or take action on any items not on the agenda unless authorized by law. Those members of the public wishing to speak are asked to come forward and state their name for the record. All speakers will be limited to a period of 3 minutes.

BUSINESS MATTERS

1. **Minutes of the Oversight Board meeting of February 26, 2014** – Approve by minute order.
2. **Governmental Use Properties pursuant to the Long Range Property Management Plan (LRPMP)** – Adopt **Resolution No. OB14-05** directing the Successor Agency of the Seal Beach Redevelopment Agency to convey certain governmental use properties to the City of Seal Beach pursuant to the Long Range Property Management Plan (previously approved by the State Department of Finance).

ADJOURNMENT

Next scheduled meeting – August 5, 2014 at 5:00 p.m., if needed.

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY
TO THE SEAL BEACH REDEVELOPMENT AGENCY**

AGENDA STAFF REPORT

DATE: July 1, 2014

TO: Oversight Board Members

FROM: Linda Devine, Staff Member

SUBJECT: **MINUTES OF THE OVERSIGHT BOARD**

SUMMARY OF REQUEST:

Approve the minutes for the Oversight Board rescheduled regular meeting of February 26, 2014.

BACKGROUND AND ANALYSIS:

This section does not apply to this item.

RECOMMENDATION:

Approve the minutes for the Oversight Board rescheduled regular meeting of February 26, 2014.

Attachment:

1. Minutes

The Oversight Board for the Successor Agency to the Seal Beach Redevelopment Agency met for the rescheduled regular meeting at 5:30 p.m. in the City Hall Conference room with Chair Shanks calling the meeting to order and Board Member Ingram led the Salute to the Flag.

ROLL CALL

Present: Board Members: Alayna Hoang, City of Seal Beach
Jill R. Ingram, City of Seal Beach
Gordon Shanks, OC Board of Supervisors
Suzie Payne, CA Community Colleges
Absent: Board Member(s): Michael Levitt, OC Board of Supervisors
Patricia Meyer, OC Department of Education

Staff: Victoria L. Beatley, Director of Finance
Teresa Ho-Urano, Attorney – Richards, Watson, Gershon
Linda Devine, City Clerk/Secretary

ORAL COMMUNICATIONS

Chair Shanks opened oral communications. There were no speakers, Chair Shanks closed oral communications.

BUSINESS MATTERS

ITEM “1” / APPROVE MINUTES / JANUARY 7, 2014

Payne moved, second by Ingram, to approve the minutes as presented.

AYES: Hoang, Ingram, Payne, Shanks
NOES: None
ABSENT: Levitt, Meyer Motion carried

ITEM “2” / RESOLUTION NO. OB14-02/ RE-ESTABLISH SEWER EASEMENT LOAN AGREEMENT

The Director of Finance provided the staff report and introduced Teresa Ho-Urano, attorney from Richards, Watson, Gershon, who explained that AB 1484 requires that interest on the Sewer Easement Loan must not exceed the interest rate payable by the Local Agency Investment Fund (“LAIF”) administered by the State Treasurer. AB 1484 also provides that all accumulated unpaid interest must be recalculated from the origination of the Sewer Easement Loan at the LAIF rate at the time when the Oversight Board resolution re-establishing the Sewer Easement Loan is adopted – this rate may vary subject to the availability of Redevelopment Property Tax Trust Fund (RPTTF) funds and the annual cap imposed by AB 1484.

Ingram moved, second by Payne, to adopt Resolution No. OB14-02 entitled “A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT AGENCY MAKING FINDINGS TO RE-ESTABLISH THE SEWER EASEMENT LOAN AGREEMENT AS AN ENFORCEABLE OBLIGATION AND TAKING CERTAIN RELATED ACTIONS”.

AYES: Hoang, Ingram, Payne, Shanks
NOES: None
ABSENT: Levitt, Meyer Motion carried

ITEM “3” / RESOLUTION NUMBER OB14-03 / ADMINISTRATIVE BUDGET

The Director of Finance said that the State Department of Finance is now requiring that the Administrative Budget be approved separate from the ROPS.

Payne moved, second by Hoang, to adopt Resolution No. 14-03 entitled “A RESOLUTION OF THE OVERSIGHT BOARD OF DIRECTORS FOR THE SUCCESSOR AGENCY TO THE CITY OF SEAL BEACH REDEVELOPMENT AGENCY APPROVING A PROPOSED ADMINISTRATIVE BUDGET FOR THE SIX-MONTH FISCAL PERIOD FROM JULY 1 THROUGH DECEMBER 31, 2014 AND TAKING CERTAIN RELATED ACTIONS”.

AYES: Hoang, Ingram, Payne, Shanks

NOES: None

ABSENT: Levitt, Meyer

Motion carried

ITEM “4” / RESOLUTION NUMBER OB14-04 / RECOGNIZED OBLIGATION
PAYMENT SCHEDULE (14-15A)

The Director of Finance indicated that the State Department of Finance had required that the Housing Entity Administrative Cost Allowance be added – the City Council voted to have Orange County administer the Housing Authority.

Payne moved, second by Hoang, to adopt Resolution No. OB14-04 entitled “A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE CITY OF SEAL BEACH REDEVELOPMENT AGENCY APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE SIX-MONTH FISCAL PERIOD FROM JULY 1, 2014 THROUGH DECEMBER 31, 2014, AND TAKING CERTAIN RELATED ACTIONS”.

AYES: Hoang, Ingram, Payne, Shanks

NOES: None

ABSENT: Levitt, Meyer

Motion carried

ADJOURNMENT

With no objections the Chair adjourned the meeting at 6:05 p.m.

Chair Shanks

Date Approved

Attested: _____
City Clerk/Board Secretary

Oversight Board Cancelled Meeting Dates:

Due to the lack of business items in need of Board consideration, the following meetings will be cancelled – March 4, 2014, April 1, 2014, May 6, 2014, and June 3, 2014.

NOTICE: The following document has not been approved for accuracy and may be corrected, modified or amended before final approval. Because it is being made available prior to final action, it should not be considered a true record of the meeting. It is not the official Minutes of the Oversight Board and cannot be relied on or used as an official record of the proceedings. Although the City of Seal Beach makes every effort to see that proper notes are taken at a meeting, and although draft Minutes are generally approved as submitted, changes and corrections are sometimes made before a final version is approved. The City therefore makes no warranty, expressed or implied, as to the contents of this document. Once Official Minutes have been approved, a copy can be obtained from the City Clerk.

OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT AGENCY

AGENDA STAFF REPORT

DATE: July 1, 2014

TO: Oversight Board Members

FROM: Victoria L. Beatley, Finance Officer

SUBJECT: **CONVEY TO THE CITY OF SEAL BEACH CERTAIN
GOVERNMENTAL USE PROPERTIES PURSUANT TO
THE LONG RANGE PROPERTY MANAGEMENT PLAN**

SUMMARY OF REQUEST:

That the Oversight Board adopt Resolution No. OB14-05, to direct the Successor Agency of the Seal Beach Redevelopment Agency (the "Successor Agency") to convey certain governmental use properties to the City of Seal Beach (the "City") pursuant to the Long Range Property Management Plan (the "LRPMP"), which LRPMP has been previously approved by the State Department of Finance (the "DOF").

DISCUSSION:

Pursuant to Section 34191.5(b) of the California Health and Safety Code ("HSC"), the Successor Agency must prepare a LRPMP that addresses the disposition and use of the real properties of the former Seal Beach Redevelopment Agency. The LRPMP must be submitted to the Oversight Board and the DOF for approval no later than six months following the DOF's issuance of a finding of completion to the Successor Agency pursuant to Health and Safety Code Section 34179.7. The DOF issued a finding of completion to the Successor Agency on July 16, 2013. Subsequently, the Successor Agency prepared and submitted the LRPMP to the Oversight Board for review and approval. On January 7, 2014, the Oversight Board adopted Resolution No. OB14-01, approving the LRPMP. The Successor Agency then submitted Resolution No. OB14-01 and the LRPMP to the DOF. The DOF issued its letter, dated February 28, 2014, approving Resolution No. OB14-01 and the LRPMP.

The LRPMP, as approved by the Oversight Board and the DOF, provides for the Successor Agency's transfer to the City certain properties (collectively, the "Governmental Use Properties") – identified in the LRPMP as follows:

- a. Property No. 1 – Police Station, located at 911 Seal Beach Boulevard;
- b. Property No. 2 – Public Works Building, located at 1776 Adolfo Lopez Drive; and
- c. Property No. 3 – a vacant property to be used as public works yard, located at western end of Adolfo Lopez Drive.

Pursuant to the DOF's current interpretation of the law, before the Governmental Use Properties are to be transferred the City, the Oversight Board must adopt an additional resolution pursuant to HSC Section 34181(a) to direct the Successor Agency to complete the conveyance. The attached Resolution provides for such direction. Furthermore, pursuant to HSC Section 34181(c), the Resolution may only be adopted by the Oversight Board at a public meeting after at least 10 days' notice to the public of the proposed action. A notice regarding the proposed adoption of the Resolution was posted on the Oversight Board's website (being a page on the City's website at www.sealbeachca.gov) and outside the City Hall bulletin board on June 20, 2014.

RECOMMENDED ACTION:

Staff recommends that the Oversight Board adopt Resolution No. OB14-05, to direct the Successor Agency to convey the Governmental Use Properties to the City pursuant to the LRPMP.

Attachments:

- A. Resolution No. OB14-05
- B. LRPMP, as approved by the Oversight Board and the DOF
- C. DOF approval letter dated February 28, 2014

RESOLUTION NUMBER **OB14-05**

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT AGENCY DIRECTING THE SUCCESSOR AGENCY TO CONVEY TO THE CITY OF SEAL BEACH OF CERTAIN GOVERNMENTAL USE PROPERTIES PURSUANT TO THE LONG RANGE PROPERTY MANAGEMENT PLAN

RECITALS:

A. Pursuant to AB X1 26 (enacted in June 2011), as modified by the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, 53 Cal. 4th 231 (2011), the Seal Beach Redevelopment Agency (the "Former Agency") was dissolved as of February 1, 2012 and the Successor Agency was established, and the Oversight Board to the Successor Agency (the "Oversight Board") was constituted.

B. AB 1484 (enacted June 2012) amended and supplemented AB X1 26 (AB X1 26 and AB 1484, together, being referred to below as the "Dissolution Act").

C. Pursuant to the Dissolution Act, the Successor Agency is tasked with winding down the affairs of the Former Agency.

D. Pursuant to Section 34175(b) of the California Health and Safety Code ("HSC"), all real properties of the Former Agency transferred to the control of the Successor Agency by operation of law.

E. On January 7, 2014, the Oversight Board adopted Resolution No. OB14-01, approving a long-range property management plan (the "LRPMP") which addresses the disposition of the real properties owned by the Successor Agency.

F. As indicated in the DOF's letter dated February 28, 2014, the DOF has approved the LRPMP.

G. Pursuant to HSC Section 34191.3, the DOF-approved LRPMP shall govern, and supersede all other provisions of the Dissolution Act relating to, the disposition and use of the real property assets of the Former Agency.

H. The LRPMP, as approved by the DOF, provides for the transfer to the City of Seal Beach (the "City") certain properties (collectively, the "Governmental Use Properties") – identified in the LRPMP as follows:

- a. Property No. 1 – Police/Fire Station, located at 911 Seal Beach Boulevard;
- b. Property No. 2 – Public Building, located at 1776 Aldofo Lopez Drive; and
- c. Property No. 3 – a vacant property to be used as public works yard, located at western end of Adolfo Lopez Drive.

I. The Oversight Board is adopting this Resolution to direct the Successor Agency to complete the transfer the Governmental Use Properties pursuant to the LRPMP.

J. A notice regarding the proposed adoption of the Resolution was posted on the Oversight Board's website (being a page on the City's website at www.sealbeachca.gov) and outside the City Hall bulletin board on June 20, 2014.

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT AGENCY, HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. The Oversight Board hereby authorizes and directs the Successor Agency to complete the transfer of the Governmental Use Properties to the City in accordance to the LRPMP. The Chair (or in the Chair's absence, the Vice Chair) of the Board of Directors of the Successor Agency is hereby authorized to execute and deliver one or more grant deeds (and all other appropriate instruments) to complete such transfer.

Section 3. The members of the Oversight Board and officers and staff of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution.

Section 4. This Resolution shall become effective in accordance with HSC Section 34181(f).

PASSED, APPROVED AND ADOPTED by the Oversight Board at a meeting held on the 1st day of July, 2014.

AYES: Board Members: _____

NOES: Board Members: _____

ABSENT: Board Members: _____

ABSTAIN: Board Members: _____

Chair, Oversight Board

ATTEST:

Secretary, Oversight Board

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF SEAL BEACH)

I, Linda Devine, Secretary to the Oversight Board, hereby certify that the foregoing resolution was duly adopted at a meeting of the Oversight Board, held on the 1st day of July, 2014.

Secretary, Oversight Board

Resolution No. OB14-01 - EXHIBIT "A"

Successor Agency: City of Seal Beach
County: Orange

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA

[illegible]



February 28, 2014.

Ms. Victoria L. Beatley, Director of Finance/City Treasurer
City of Seal Beach
211 8th Street
Seal Beach, CA 90740

Dear Ms. Beatley:

Subject: Long-Range Property Management Plan

Pursuant to Health and Safety Code (HSC) section 34191.5 (b), the City of Seal Beach Successor Agency (Agency) submitted a Long-Range Property Management Plan (LRPMP) to the California Department of Finance (Finance) on January 18, 2014. Finance has completed its review of the LRPMP, which may have included obtaining clarification for various items.

The Agency received a Finding of Completion on July 16, 2013. Further, based on our review and application of the law, we are approving the Agency's use or disposition of all the properties listed on the LRPMP.

The Agency desires to transfer three properties for governmental use. These properties are currently utilized by the police and public works departments, and therefore qualify for governmental use property transfer pursuant to HSC section 34181 (a).

In accordance with HSC section 34191.4, upon receiving a Finding of Completion from Finance and approval of a LRPMP, all real property and interests in real property shall be transferred to the Community Redevelopment Property Trust Fund of the Agency, unless that property is subject to the requirements of an existing enforceable obligation. Pursuant to HSC section 34191.3 the approved LRPMP shall govern, and supersede all other provisions relating to, the disposition and use of all the real property assets of the former redevelopment agency.

Agency actions taken pursuant to a Finance approved LRPMP are subject to oversight board (OB) approval per HSC section 34181 (f). Any subsequent OB actions addressing the Agency's implementation of the approved LRPMP should be submitted to Finance for approval.

Please direct inquiries to Nichelle Thomas, Supervisor or Alex Watt, Lead Analyst at (916) 445-1546.

Sincerely,

JUSTYN HOWARD
Assistant Program Budget Manager

cc: On following page

Ms. Beatley
February 28, 2014
Page 2

cc: Ms. Alayna Hoang, Finance Manager, City of Seal Beach
Mr. Frank Davies, Property Tax Manager, Orange County
Ms. Elizabeth Gonzalez, Bureau Chief, Local Government Audit Bureau, California State
Controller's Office
California State Controller's Office